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PATENT

In the UNITED STATES PATENT and TRADEMARK OFFICE

APPLICANT:	Wolf, et al	EXAMINER:	Not yet assigned
SERIAL NO.:	10/817,502	ART UNIT:	1761
FILED:	April 2, 2004	DOCKET NO.:	6671USC1
TITLE:	<b>CARBOHYDRATE SYSTEM AND A METHOD FOR PROVIDING NUTRITION TO A DIABETIC</b>	I certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail addressed to the Commissioner for Patents, Alexandria, VA, on the date shown below.	
		<i>Wendy Detwiler</i> 6-25-04	
		Wendy Detwiler	Date

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Enclosed herewith is a Information Disclosure Statement and Form 1449 for the above-referenced patent application.  
Also enclosed is:

One (1) return postcard

If any fees are owed, or any credit is due pertaining to this case; please charge that fee or apply that credit to Deposit Account No. 01-0025.

Respectfully submitted,

Ross Products Division of  
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Docket: 6671USC1



PATENT

In the UNITED STATES PATENT and TRADEMARK OFFICE

APPLICANT: Wolf, et al.	EXAMINER: Choi, F.
SERIAL NO.: 10/817,502	ART UNIT: 1616
FILING DATE: April 02, 2004	DOCKET NO.: 6671USC1
TITLE: <b>CARBOHYDRATE SYSTEM AND A METHOD FOR PROVIDING NUTRITION TO A DIABETIC</b>	I certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail addressed to the Commissioner for Patents, Alexandria, VA 22313 on the date shown below.
	<i>Wendy Derviler</i> 6-25-04 Wendy Derviler Date

Commissioner for Patents  
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Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their duty of disclosure under 37 C.F.R. §1.56, and as authorized and encouraged under 37 C.F.R. §§ 1.97-1.98 and the provisions of MPEP §§ 609 and 707.05(b), Applicants submit herewith certain patent documents, publications and/or other information ("references") which the Patent and Trademark Office may wish to consider in examining the above-identified patent application. The identification of any reference herein is not intended to be and should not be understood as being an admission that such reference necessarily constitutes "prior art" within the meaning of applicable law.

The cited references are listed on attached form PTO-1449.

- ☐ A copy of each cited reference is provided;
- ☒ Copies of cited references are not provided because each has previously been made of record in the parent application, or is otherwise known to be in the Examiner's possession.

The Examiner is requested to review and evaluate each cited reference to make an independent assessment of the materiality of each, if any, to the examination of the above-identified application. The Examiner is requested to ignore any underscoring or highlighting which may have been done because such markings may or may not have any relationship to the subject matter of the present invention. The copies being submitted with this Statement are the best copies available at this time. Applicants respectfully request that (1) the references cited herein be made of record; (2) that the Examiner acknowledge his consideration of each reference by initialing and returning the enclosed copy of the PTO-1449 form; and (3) that such references appear on the printed patent as having been considered on the record.

With regard to payment of a fee:

- ☐ ☒ No fee is due because:
- ☐ ☒ This Statement is mailed within three months of the filing date of this application, or before the mailing date of a first office action on the merits (see 37 C.F.R. §1.97(b)).
- ☐ ☐ Applicants certify that each reference cited in this Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. (see 37 C.F.R. §1.97(e)).
- ☐ ☐ This Statement is filed after the mailing date of a first Office Action on the merits but before the mailing date of either a final action or a Notice of Allowance (see 37 C.F.R. §1.97(c)) so a fee of **\$180.00** is specified by 37 C.F.R. §1.17(p).


If any fees are owed, or any credit is due pertaining to this case, please charge that fee or apply that credit to Deposit Account No. 01-0025.

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Docket : 6671USC1

Respectfully submitted,

  
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FORM PTO-1449 (Rev. 2032)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No.: 6671USC1	Serial No. : 10/817,502
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Applicant: Wolf, et al.	
(Use several sheets if necessary)		Filing Date: April 2, 2004	Group: 1616

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date (if appro.)
	5,843,921	12/01/98	Kaufman			
	5,270,297	12/14/93	Paul, et al.			
	5,695,803	12/09/97	Sharp, et al.			
	5,292,538	03/08/94	Paul, et al.			
	4,921,877	05/01/90	Cashmere, et al			
	5,292,723	03/08/94	Audry, et al			
	5,470,839	11/28/95	Laughlin, et al			
	5,776,887	07/07/98	Wibert, et al			

**FOREIGN PATENT DOCUMENTS**

	Document Number	Date	Name	Class	Subclass	Translation (Yes No)
	WO 98/17286	04/30/98				
	WO 00/19841	04/13/00				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

			The use of the glycemic index in predicting the blood glucose response to mixed meals, Wolever, et al., Am. Journal Clin. Nutr., 43: January 1986, pp 167-172
			RESOURCE Diabetic, Clinical Products Division, Novartis Nutrition, 1998
			GLUCERNA® Product Information, Ross Products Division Abbott Laboratories, April 1997
			Compelling Comparisons Glucerna® Specialized Nutrition with Fiber for Patients with Abnormal Glucose Tolerance, Ross Products Div. Abbott Laboratories, April 1998
			Ensure Glucerna® OS Beverages, Ross Products Division Abbott Laboratories, Aug. 1998
			Moore, et al, "Effect of Fructose on the Response of Normal Adults to an Oral Glucose Tolerance Test", Diabetes Abstract Book 59 <sup>th</sup> Scientific Sessions June 19-22, 1999, pg. A291
			AACC Method 32-07, Approved Methods of The American Association of Cereal Chemists, Ninth Edition, March 1995
			Titemeyer, et al., "Fermentability of Various Fiber Sources by Human Fecal Bacteria In Vitro <sup>1-3</sup> ", Am J Clin Nutr. 1991, 53: 1418-24
			Nutritional Profile Choice dm Beverage and Choice dm Nutrition Bar, 1997, 1998, 1999 Mead Johnson & Company
			Compelling Comparisons Glucerna Specialized Nutrition with Fiber for Patients with Abnormal Glucose Tolerance, Ross Products Division Abbott Laboratories March 1996
			Compelling Comparisons Glucerna Specialized Nutrition with Fiber for Patients with Abnormal Glucose Tolerance, Ross Products Division Abbott Laboratories, March 1996
EXAMINER			DATE CONSIDERED

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw Line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.